

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

CAL-CERT COMPANY, an Oregon
Corporation,

Plaintiff,

v.

BEHZAD REGIMAND and PATRICK
YORIO,

Defendants.

Case No. 3:13-cv-01165-HZ

TEMPORARY RESTRAINING
ORDER AND ORDER TO SHOW
CAUSE WHY PRELIMINARY
INJUNCTION SHOULD NOT ISSUE

This matter comes before the court on plaintiff Cal-Cert Company's ("Cal-Cert") Application for Temporary Restraining Order and Motion for an Order to Show Cause Why a Preliminary Injunction Should not Issue against defendants Behzad Regimand ("Regimand") and Patrick Yorio ("Yorio"). It appearing from the declarations submitted in support of Cal-Cert's motion that immediate and irreparable injury, loss, and damage will result to Cal-Cert before Defendants can be heard in opposition; it appearing by declaration that Defendants have been notified of Cal-Cert's request for temporary restraining order and an order to show cause; and, it appearing that if a temporary

restraining order does not issue, Cal-Cert will suffer irreparable injury in that Defendants will continue competing directly with Cal-Cert,

IT IS HEREBY ORDERED THAT:

1. Effective immediately upon the posting of security described in Paragraph 3 below and until otherwise ordered by this Court:

(a) Regimand is enjoined from using or disclosing information regarding Cal-Cert's business (the "Trade Secrets") including but not limited to:

- (1) calibration services;
- (2) manufacturing processes;
- (3) products;
- (4) price lists;
- (5) customer and prospective customer lists;
- (6) vendor lists; and
- (7) proprietary calibration spreadsheets created by Cal-Cert,

which form a portion of the Cal-Cert quality system, including but not limited to the following:

- a. A quality manual;
- b. 22 quality procedures;
- c. 39 quality forms;
- d. 124 calibration procedures;
- e. 303 calibration forms; and
- f. Normative References (ISO/IEC, ASTM, AASHTO, etc.)

(all collectively referred to as the "Quality System", which is a subset of all of Cal-Cert's Trade Secrets);


(b) Yorio is enjoined from using or disclosing the Trade Secrets including but not limited to Cal-Cert's Quality System.

2. In accordance with FRCP 65(d)(2), this Order is binding upon Regimand and Yorio, their officers, agents, servants, employees, and attorneys and other persons or entities who are in active concert or participation with Regimand and/or Yorio.

3. Cal-Cert shall file with this Court security in the amount of \$1,000.00 in accordance with FRCP 65(c).

4. Regimand and Yorio shall appear before this court on August 15, 2013, at 10:00 a.m. to show cause, if any there be, why a preliminary injunction should not be entered enjoining said persons and entities from the actions described above pending trial of this matter. Defendants shall file a responsive brief to Plaintiffs' Application for Preliminary Injunction by noon on Thursday, August 1, 2013. Plaintiff's reply is due by noon on Thursday, August 8, 2013.

DATED this 18 day of July, 2013.


MARCO A. HERNANDEZ
United States District Court Judge